

THIRTY-SIXTH DAY

(Friday, March 12, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called and the following Members were present:

Mr. Speaker	Huddleston
Adkins	Hyder
Alexander	Johnson of Ellis
Alsup	Johnson
Amos	of Tarrant
Baker	Jones of Angelina
Bates	Jones of Atascosa
Beckworth	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Boethel	Keith
Bond	Kelt
Boyer	Kenyon
Bradbury	King
Bradford	Knetsch
Bridgers	Lankford
Broadfoot	Lanning
Brown	Leath
Burton	Leonard
Cagle	Leyendecker
Callan	Little
Carssow	Loggins
Celaya	London
Cathey	Lucas
Cleveland	Mauritz
Colquitt	McConnell
Davison of Fisher	McDonald
Davison	McFarland
of Eastland	McKinney
Dean	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
Dollins	Morse
England	Newton
Farmer	Nicholson
Fielden	Palmer
Fox	Patterson of Mills
Fuchs	Patterson
Gibson	of Travis
Graves	Petsch
Hamilton	Pope
Hankamer	Prescott
Hanna	Quinn
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harrell	Rhodes
Harris of Dallas	Riddle
Harris of Dickens	Ross
Hartzog	Russell
Heflin	Rutta
Herzik	Settle
Holland	Sharpe
Hoskins	Shell

Simpson	Thornberry
Smith of Hopkins	Thornton
Smith	Vale
of Matagorda	Waggoner
Stinson	Walker
Stocks	Weldon
Tarwater	Westbrook
Tennant	Winfree
Tennyson	Wood

Absent

Howard	Kern
Hull	

Absent—Excused

Cauthorn	Oliver
Davis of Haskell	Powell
Davis of Jasper	Ragsdale
Felty	Reader
Harper	Roark
Harris of Archer	Schuenemann
Jackson	Sewell
James	Skaggs
Langdon	Smith of Tarrant
Mann	Stevenson
Mays	Talbert
McCracken	Worley
McKee	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Sewell for today, on account of important State business, on motion of Mr. Hamilton.

Mr. Felty for today, on account of important State business, on motion of Mr. Hoskins.

Mr. Cauthorn and Mr. Worley for today, on account of important State business, on motion of Mr. Rutta.

Mr. Schuenemann and Mr. Ragsdale for today, on account of important State business, on motion of Mr. Monkhouse.

Mr. Smith of Tarrant for today, on account of important State business, on motion of Mr. Amos.

Mr. McCracken for today, on motion of Mr. Dickison.

Mr. Reader for today, on motion of Mr. Bridgers.

Mr. Harper for today, on account of important State business, on motion of Mr. Colquitt.

Mr. Harris of Archer for today, on account of important State business, on motion of Mr. Bradbury.

Mr. Mays for today, on account of important State business, on motion of Mr. Keith.

Mr. Talbert and Mr. Skaggs for today, on account of important State business, on motion of Mr. Pope.

Mr. Davis of Jasper for today, on motion of Mr. Jones of Wise.

The following Members were granted leaves of absence on account of illness:

Mr. Stevenson for today, on motion of Mr. Hankamer.

Mr. Oliver for today, on account of illness in his family, on motion of Mr. Farmer.

Mr. McKee for today, on account of illness in his family, on motion of Mr. Knetsch.

Mr. Powell for today, on account of a death in his family, on motion of Mr. Waggoner.

Mr. Roark for today, on motion of Mr. Jones of Wise.

Mr. Mann for today, on motion of Mr. Lucas.

Mr. Langdon for today, on account of a death in his family, on motion of Mr. Jones of Wise.

Mr. Davis of Haskell for today, on account of illness in his family, on motion of Mr. Stocks.

Mr. James for today, on motion of Mr. Johnson of Ellis.

HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Fox (by request):

H. B. No. 990, A bill to be entitled "An Act to create a more efficient Road Law for Burnet County, providing the payment of a tax of Three Dollars (\$3.00) by all persons in said County, subject to road duty under the General Laws, or the performance of certain manual labor on the road, in the discharge of said road duty; providing the manner of assessing and collecting said road tax, and providing a penalty for failure or refusal to perform said road duty, re-

pealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

Mr. Johnson of Ellis moved to introduce, at this time, and have placed on first reading, House Bill No. 991.

The motion prevailed by the following vote:

Yeas—103

Adkins	Johnson of Ellis
Alexander	Jones of Angelina
Alsup	Jones of Falls
Amos	Jones of Wise
Baker	Keefe
Bates	Keith
Beckworth	Kelt
Bell	King
Blankenship	Knetsch
Boethel	Lankford
Bond	Lanning
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Loggins
Bridgers	Lucas
Broadfoot	Mauritz
Brown	McDonald
Burton	McFarland
Cagle	Metcalf
Callan	Moffett
Carssow	Monkhouse
Cathey	Morris
Cleveland	Newton
Colquitt	Palmer
Davison of Fisher	Patterson of Mills
Davison	Patterson
of Eastland	of Travis
Dean	Petsch
Deglandon	Quinn
Derden	Reed of Bowie
Dollins	Reed of Dallas
England	Rhodes
Farmer	Riddle
Fielden	Russell
Fox	Rutta
Fuchs	Settle
Gibson	Sharpe
Graves	Shell
Hamilton	Simpson
Hankamer	Smith of Hopkins
Hanna	Smith
Harbin	of Matagorda
Hardin	Stinson
Harrell	Stocks
Harris of Dallas	Tennant
Harris of Dickens	Tennyson
Hartzog	Thornberry
Heflin	Thornton
Herzik	Vale
Holland	Weldon
Hoskins	Westbrook
Huddleston	Winfree
Hyder	Wood

Present—Not Voting

McConnell

Absent

Celaya	London
Dickison	McKinney
Howard	Morse
Hull	Nicholson
Johnson	Pope
of Tarrant	Prescott
Jones of Atascosa	Ross
Kenyon	Tarwater
Kern	Waggoner
Leath	Walker
Little	

Absent—Excused

Cauthorn	Oliver
Davis of Haskell	Powell
Davis of Jasper	Ragsdale
Felty	Reader
Harper	Roark
Harris of Archer	Schuenemann
Jackson	Sewell
James	Skaggs
Langdon	Smith of Tarrant
Mann	Stevenson
Mays	Talbert
McCracken	Worley
McKee	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Johnson of Ellis and Mr. Sewell:

H. B. No. 991, A bill to be entitled "An Act providing for the creation of corporations for the purpose of establishing, maintaining, operating and engaging in the business of grading, constructing of terraces and drainage structures and all other forms of dirt construction work, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

ADDRESS BY HONORABLE
STUART CHASE

In accordance with the provisions of resolution adopted by the House on yesterday, inviting Honorable Stuart Chase to address the House at 10:00 o'clock a. m., today, the Honorable Stuart Chase was escorted to a seat on the Speaker's stand. Governor James V. Allred, and Mr. Tom Law, President of the Student Cultural Entertainment Society of the University of Texas, and Judge Ralph

Yarborough occupied seats on the Speaker's stand.

Speaker Calvert presented Honorable W. B. Carssow, who introduced Judge Ralph Yarborough, who in turn introduced Honorable Stuart Chase.

Mr. Chase then addressed the House.

BILL ORDERED NOT PRINTED

On motion of Mr. Hankamer, House Bill No. 985 was ordered not printed.

MOTION TO PRINT HOUSE JOINT
RESOLUTION NO. 12

Mr. Reed of Bowie moved that House Joint Resolution No. 12, reported adversely, with a minority favorable report, be printed.

Mr. Tennant moved to table the motion to print House Joint Resolution No. 12.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—79

Adkins	Heflin
Alexander	Herzik
Alsup	Hoskins
Beckworth	Hyder
Bell	Johnson
Boethel	of Tarrant
Boyer	Jones of Angelina
Bradford	Jones of Falls
Bridgers	Jones of Wise
Broadfoot	Keith
Burton	Kenyon
Callan	King
Carssow	Knetsch
Cleveland	Lankford
Colquitt	Leyendecker
Davison of Fisher	Little
Deglandon	London
Derden	Mauritz
Dickison	McConnell
Dollins	McDonald
England	McFarland
Fox	Metcalfe
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Newton
Hankamer	Nicholson
Hanna	Patterson
Harrell	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Prescott
Hartzog	Reed of Dallas

Rhodes	Tennant
Riddle	Thornberry
Russell	Thornton
Settle	Vale
Sharpe	Waggoner
Smith	Walker
of Matagorda	Westbrook
Stinson	Winfree
Stocks	Wood

Nays—27

Amos	Huddleston
Bates	Johnson of Ellis
Blankenship	Jones of Atascosa
Bradbury	Keefe
Brown	Kelt
Cagle	Lanning
Cathey	Loggins
Davisson	Lucas
of Eastland	Quinn
Farmer	Reed of Bowie
Fielden	Rutta
Harbin	Simpson
Hardin	Tennyson
Holland	Weldon

Absent

Baker	McKinney
Bond	Morse
Celaya	Palmer
Dean	Patterson of Mills
Howard	Pope
Hull	Ross
Kern	Shell
Leath	Smith of Hopkins
Leonard	Tarwater

Absent—Excused

Cauthorn	Oliver
Davis of Haskell	Powell
Davis of Jasper	Ragsdale
Felty	Reader
Harper	Roark
Harris of Archer	Schuenemann
Jackson	Sewell
James	Skaggs
Langdon	Smith of Tarrant
Mann	Stevenson
Mays	Talbert
McCracken	Worley
McKee	

RELATIVE TO HOUSE BILL
NO. 198

Mr. Quinn moved that the original bill of House Bill No. 198 be printed with the substitute bill.

Mr. Morris moved to table the motion by Mr. Quinn.

The motion to table prevailed.

EXPRESSING APPRECIATION
TO MR. W. LEE O'DANIEL

Mr. Alsop offered the following resolution:

H. C. R. No. 64, Expressing appreciation to Mr. W. Lee O'Daniel.

Whereas, Mr. W. Lee O'Daniel, of Fort Worth, Texas, has composed and published a song known by the title of "Beautiful Texas"; and

Whereas, This song describes vividly many of the beautiful scenes to be found in the State of Texas; and

Whereas, This song enjoys a wide popularity throughout our great State and is admittedly a composition of merit; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we desire to publicly acknowledge our appreciation for this composition by extending to Mr. O'Daniel our sincere thanks for this song; and, be it further

Resolved, That a copy of this song be published in the Journals of each House; and, be it further

Resolved, That a copy of this resolution be sent to Mr. O'Daniel, at Fort Worth, Texas.

The resolution was read second time, and was adopted.

BEAUTIFUL TEXAS

You've all read the beautiful stories
Of the countries far over the sea
From whence came our ancestors
To establish this land of the free.

There are some folks who still like to
travel,
To see what they have over there;
But when they go look, it's not like
the book,
And they find there is none to com-
pare.

Chorus

To beautiful, beautiful Texas,
Where the beautiful blue bonnets grow,
We're proud of our forefathers,
Who fought at the Alamo.
You can live on the plains or the
mountain,
Or down where the sea-breezes blow,
And you're still in beautiful Texas,
The most beautiful place that I know.

You can travel on beautiful highways
By the city, the village and farm,
Or sail above on the skyways,
And the beauty below you will charm.

White cotton, green forests, blue
rivers,
Golden wheat fields and fruit trees
that bear.

You can look till doomsday,
And then you will say
That Texas has beauty to spare.

Chorus

In this song about beautiful Texas
There is one thing we just have to say:
About six million people
Who are proud that they're here to
stay.

It's great to be healthy and happy,
And this seems to be our good fate;
So let us all smile, for life is worth
while,

When you live in this beautiful State.
Chorus

RELATIVE TO SUPPLIES TO BE FURNISHED MEMBERS

Mr. Davison of Fisher offered the following resolution:

Whereas, A number of the Members of the House have used all of their stamp, telephone, and telegraph allowance in the discharge of their duties as Members of the Forty-fifth Legislature; and

Whereas, The resolution passed at the beginning of this Session provided an amount not sufficient to cover the expenses of these Members during the entire Session; now, therefore, be it

Resolved, That upon approval of the Committee on Contingent Expenses, Members be allowed a sufficient increase in these accounts to cover actual expenditures for the balance of this Session, on application to the Committee on Contingent Expenses that additional amounts are necessary in the discharge of their duties as Members of the House of Representatives, and that these expenditures will be made only for these purposes, upon forms provided by the Committee on Contingent Expenses.

The resolution was read second time.

Mr. Quinn moved to table the resolution.

The motion to table was lost.

Mr. Bradbury offered the following amendment to the resolution:

Amend the resolution, by adding that in no event will the additional amount exceed \$50.

The amendment was adopted.

Question recurring on the resolution, it was adopted.

RELATIVE TO SURVEY OF NATURAL RESOURCE TAX SYSTEMS

Mr. Westbrook offered the following resolution:

Whereas, It is the function of the Legislature of this State to provide the revenue for the State and its Departments and Branches by means of taxation; and

Whereas, The Legislature in pursuance of this duty has before it for consideration many varied proposals relative to the taxing of natural resources; and

Whereas, The amount of taxes that such resources might reasonably bear is a subject of much debate due, to a marked degree, to the facts that Members of this Body do not have access to a comprehensive survey of the various methods of collection, rates of taxation and means of mechanical operation that have been adopted in other jurisdictions in solving this same problem, and as a consequence the information that is available to this Body has been and is inadequate to enable it to reach a just and equitable conclusion on this matter; and

Whereas, The State Tax Commission of the State of Texas in connection with its official duties along somewhat the same line is more nearly familiar with this field of taxation, and is in a position to efficiently and quickly gather such data; now, therefore, be it

Resolved by the House of Representatives, That the State Tax Commission of the State of Texas conduct a systematic survey of the natural resource tax systems of the several states of the Union and, after having conducted such survey, to make a comprehensive report of the same to the Legislature of this State; and, be it further

Resolved, That such report contain all the relevant information regarding the nature of the tax imposed, in statistical form, including the subject of the tax and the mechanical methods of assessing and collecting the same; and, be it further

Resolved, That a copy of this resolution be forwarded at once to the State Tax Commissioner of the State of Texas.

The resolution was read second time, and was adopted.

RELATIVE TO LOCAL AND UN-
CONTESTED BILLS

Mr. Gibson offered the following resolution:

Whereas, A large number of local and uncontested bills are undisposed of; therefore, be it

Resolved, That next Tuesday evening be set aside for the consideration of such bills.

The resolution was read second time, and was adopted.

TO GRANT PERMISSION TO SUE
THE STATE

Mr. Harris of Dallas offered the following resolution:

H. C. R. No. 65, To grant John Haney permission to sue the State.

Whereas, On or about the 1st day of December, A. D., 1936, John Haney of Caroway, Arkansas, and Lockwood Allison of Dallas, Texas, were driving in an automobile along Fort Worth Avenue or had just turned off said Fort Worth Avenue, and had reached a point at or near Blue Top Tourist Courts in Dallas County, Texas, and said automobile in which they were driving was struck by an automobile owned, operated, and used by the Texas State Liquor Board, said automobile being then and there driven by one of the employees of the said Texas State Liquor Board while in the course of his employment. That as a result of said collision John Haney and Lockwood Allison each received serious personal injuries; and

Whereas, The said John Haney and the said Lockwood Allison each desire to bring suit for the purpose of establishing that the personal injuries received by them and each of them were the direct and proximate result of the negligence and carelessness of the driver of said automobile belonging to the Texas State Liquor Board, and to recover their damages therefor against the Texas State Liquor Board and/or against the State of Texas; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the said John Haney and the said Lockwood Allison and each of them be, and each of them is hereby, granted permission to bring suit in any court in Texas having jurisdiction of the amount in controversy against the Texas State Liquor Board and/or against the State of Texas, to de-

termine whether the collision mentioned herein was due to the negligence of the employee of said Texas State Liquor Board as set out herein and to determine the amount of damages, if any, occasioned to the said John Haney and to the said Lockwood Allison by reason of the injuries received by them or either of them directly and proximately resulting therefrom and to recover judgment therefor; and, be it further

Resolved, That service of citations and/or all other necessary processes may be had upon the Texas State Liquor Board by service upon either of its members; and upon the State of Texas by service upon the Attorney General; and that the said suit be tried under the same rules of law, liability and evidence and in like manner, as similar civil suits instituted against private corporations are tried. That no execution shall issue on any judgment that may be recovered by the said John Haney and Lockwood Allison, but that such judgment shall be and constitute a charge as for operation and administration expenses against the Texas State Liquor Board and shall be paid off and discharged as such.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

CONCERNING PROGRAM OF
PRESIDENT FRANKLIN
DELANO ROOSEVELT

The Speaker laid before the House, for consideration at this time, resolution by Mr. Jones of Atascosa, offered on yesterday, Concerning the program of President Franklin Delano Roosevelt.

The resolution having been read second time on yesterday.

Mr. Reed of Dallas moved that further consideration of the resolution be postponed until the next legislative day.

Mr. Bell moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—32

Bell
Bradbury
Brown
Cathey

Davisson
of Eastland
Deglandon
Dickison

Fielden	McConnell
Fox	McFarland
Hamilton	Metcalfe
Harrell	Palmer
Johnson of Ellis	Patterson
Jones of Atascosa	of Travis
Jones of Wise	Quinn
Kelt	Reed of Bowie
Knetsch	Rutta
Lanning	Simpson
Loggins	Stinson
London	Tennyson
Lucas	Thornberry

Nays—66

Adkins	Johnson
Alexander	of Tarrant
Alsup	Jones of Angelina
Amos	Jones of Falls
Baker	Keefe
Bates	Keith
Beckworth	Kenyon
Boethel	King
Boyer	Lankford
Bradford	Leyendecker
Bridgers	Little
Burton	Mauritz
Cagle	McDonald
Callan	McKinney
Carssow	Moffett
Colquitt	Monkhouse
Davison of Fisher	Nicholson
Dean	Petsch
Derden	Pope
England	Prescott
Farmer	Reed of Dallas
Fuchs	Russell
Gibson	Settle
Graves	Sharpe
Hankamer	Smith
Hanna	of Matagorda
Harbin	Tarwater
Hardin	Tennant
Harris of Dallas	Thornton
Harris of Dickens	Waggoner
Hartzog	Walker
Heflin	Weldon
Hoskins	Westbrook
Huddleston	Wood

Present—Not Voting

Mr. Speaker	Herzik
-------------	--------

Absent

Blankenship	Hyder
Bond	Kern
Broadfoot	Leath
Celaya	Leonard
Cleveland	Morris
Dollins	Morse
Holland	Newton
Howard	Patterson of Mills
Hull	Rhodes

Riddle	Stocks
Ross	Vale
Shell	Winfree
Smith of Hopkins	

Absent—Excused

Cauthorn	Oliver
Davis of Haskell	Powell
Davis of Jasper	Ragsdale
Felty	Reader
Harper	Roark
Harris of Archer	Schuenemann
Jackson	Sewell
James	Skaggs
Langdon	Smith of Tarrant
Mann	Stevenson
Mays	Talbert
McCracken	Worley
McKee	

Question recurring on the motion to postpone further consideration of the resolution, it prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, March 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 174, A bill to be entitled "An Act making an appropriation from the State Treasury for the preparation, checking, investigation, and correction of the scholastic census and for accounting and investigation necessary in the approval of transfers to the Census Division to the State Department of Education; providing money for salaries, wages, rent, equipment, supplies, printing, and necessary traveling expenses incident thereto for the sum of Fifteen Thousand (\$15,000.00) Dollars for the year ending September first, 1937, and declaring an emergency." (With amendments)

H. C. R. No. 51, That the Legislature of Texas go on record as approving the matters set forth in H. R. No. 1546.

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILLS AND RESOLUTIONS
SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been

read severally, the following enrolled bills and resolutions:

H. B. No. 157, "An Act providing that in counties in this State having a population less than twenty-five thousand (25,000) inhabitants, according to the last preceding census, and a tax valuation exceeding Seventy-five Million (\$75,000,000) Dollars, according to the last approved tax roll of said county, that the District Attorney or Criminal District Attorney in such a county is authorized to appoint a Special Assistant District Attorney or Special Criminal Assistant District Attorney; prescribing the powers and duties, both general and special, of said Assistant District Attorney or Assistant Criminal District Attorney; providing the amounts to be paid the said Assistant District Attorneys or Criminal Assistant District Attorneys as salaries; providing that said Assistant District Attorney or Assistant Criminal District Attorney shall be paid by warrants drawn upon the General Fund of such a county on certificate made by said District Attorney or Criminal District Attorney to the County Judge thereof, and declaring an emergency."

H. C. R. No. 22, Granting George Wieland permission to sue the State.

S. B. No. 8, "An Act amending Acts, 1933, Forty-third Legislature, page 595, Chapter 195 by adding thereto an article known as Article 2326D providing for the compensation of court reporters in certain Judicial Districts, and declaring an emergency."

S. B. No. 57, "An Act providing for rural school supervisors in certain counties; prescribing how and for what length of term said supervisor shall be elected; prescribing the duties of said supervisors; prescribing the qualifications of said supervisors; prescribing the salaries of such supervisors; and prescribing other things incidental to said purpose, and declaring an emergency."

S. B. No. 359, "An Act providing for the administration of oaths to witnesses by the President of the Senate, or the Speaker of the House of Representatives, or by any Member of either House, and declaring an emergency."

S. B. No. 186, "An Act providing for a juvenile board and the appointment of a chief probation officer and assistant probation officers and sup-

erintendents of certain institutions in counties having a population of not more than three hundred and twenty thousand inhabitants and not less than two hundred and twenty thousand inhabitants according to the last preceding or any future Federal Census and providing that the appointment and election of the chief probation officer and assistants and superintendents of institutions as herein provided for in such counties shall be appointed by the county judge and confirmed by such juvenile board, and declaring an emergency."

S. B. No. 238, "An Act to amend Chapter 7 of the Acts of the First Called Session of the Forty-third Legislature, by changing the classification of counties eligible under said Act, and declaring an emergency."

S. B. No. 258, "An Act authorizing Jimmie McKee of Parker County, Texas, to file suit against the State of Texas and the State Highway Department for personal injuries sustained while employed by the Highway Department, placing the venue thereof in Travis County, Texas, and declaring an emergency."

S. B. No. 268, "An Act to amend Article 1605, Revised Civil Statutes of Texas, 1925, so as to provide that counties having a population of more than seventy-four (74,000) thousand, according to the last Federal Census, and containing one or more cities or towns, other than the county seat, which has in excess of one (1,000) thousand inhabitants, according to the last Federal Census, the Assessor and Tax Collector, with the consent and approval of the Commissioners' Court, may maintain a branch office and appoint a deputy tax collector, from each such town or city to perform the duties of deputy tax collector, and declaring an emergency."

S. B. No. 278, "An Act authorizing the State Board of Control to transfer to Harris County, Texas, the title held by the State of Texas, in certain lands situated within the boundaries of the San Jacinto State Park to be used as a right-of-way for road purposes within said park, in exchange for certain land owned by Harris County, and declaring an emergency."

S. B. No. 302, "An Act creating a Special Road Law for San Patricio County, Texas, and declaring an emergency."

S. B. No. 330, "An Act creating a Special Road Law for Karnes County, Texas, and declaring an emergency."

S. B. No. 342, "An Act creating a Special Road Law for Castro County, Texas, providing that said County may fund or refund designated interest-bearing time warrants in an amount not exceeding Eight Thousand (\$8,000.00) Dollars and designated scrip warrants, and declaring an emergency."

S. B. No. 410, "An Act providing for a rural school supervisor in certain counties; prescribing the qualifications and duties of said supervisor; prescribing the method of employing the supervisor; prescribing the salary of said supervisor and how he shall be paid; providing other things incidental to said purpose, and declaring an emergency."

S. B. No. 419, "An Act creating and establishing Comal County Water Recreational District No. 1 in Comal County, and declaring an emergency."

S. C. R. No. 9, Granting Master Petroleum Company permission to sue the State.

S. C. R. No. 13, Granting Chronister Lumber Company permission to sue the State.

S. C. R. No. 14, Granting Dr. O. P. Gandy permission to sue the State.

S. C. R. No. 25, Granting C. M. Wells permission to sue the State.

S. C. R. No. 26, Granting O. I. Littlefield permission to sue the State.

S. C. R. No. 27, Granting Wilburn Swan permission to sue the State.

S. C. R. No. 28, Granting A. H. Bradford permission to sue the State.

S. C. R. No. 29, Granting Norton Lincecum permission to sue the State.

S. C. R. No. 45, Authorizing the use of certain State highway equipment.

S. C. R. No. 46, Authorizing the transfer of certain State equipment.

HOUSE BILL NO. 137 ON SECOND READING

The Speaker laid before the House (as special order for this hour), on its second reading and passage to engrossment,

H. B. No. 137, A bill to be entitled "An Act authorizing trustees of common school districts and common consolidated school districts to make contracts with superintendents and principals providing for the length of time

of such employment, and declaring an emergency."

The bill was read second time.

Mr. Beckworth offered the following committee amendment to the bill:

Amend House Bill No. 137, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That trustees of any common district or common consolidated school district shall have authority to make contracts for a period of time not in excess of three (3) years with principals and superintendents of said common school districts or consolidated common school districts, provided that such contracts shall be approved by the County Superintendent.

"Section 2. The fact that the annual employment of principals and superintendents creates confusion throughout the State and the further fact that it would serve the interest of the general public if said school officers held a contract for a longer period of time, creates an emergency and an imperative public necessity requiring that the constitutional rule which requires bills to be read on three several days in each House be suspended and such rule is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted."

Mr. Beckworth offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 137, page 1, line 25, by striking out the words and figure "three years" and inserting in lieu thereof the words and figures "two years".

The amendment was adopted.

Mr. Keefe offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 137, Section 1, line 26, by adding after the word "superintendents" the words "and teachers".

Mr. Beckworth moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas—35

Alsup
Baker

Beckworth
Boethel

Bradford	Leath
Broadfoot	Leyendecker
Brown	London
Burton	McFarland
Davisson	McKinney
of Eastland	Palmer
Dean	Patterson
Deglandon	of Travis
Hamilton	Pope
Hardin	Settle
Hartzog	Stinson
Huddleston	Stocks
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornton
King	Weldon
Lanning	Wood

Nays—59

Alexander	Jones of Atascosa
Amos	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Boyer	Keith
Bradbury	Kelt
Bridgers	Knetsch
Cagle	Lankford
Callan	Lucas
Carsow	Mauritz
Cathey	McConnell
Celaya	Moffett
Cleveland	Monkhouse
Colquitt	Morris
Davison of Fisher	Morse
Derden	Prescott
Dickison	Reed of Bowie
Farmer	Reed of Dallas
Fielden	Rhodes
Fox	Riddle
Fuchs	Russell
Gibson	Rutta
Graves	Sharpe
Hankamer	Simpson
Harrell	Smith
Harris of Dallas	of Matagorda
Harris of Dickens	Tarwater
Heflin	Thornberry
Hyder	Waggoner
Johnson of Ellis	Westbrook

Absent

Adkins	Kern
Bates	Leonard
Bond	Little
Dollins	Loggins
England	McDonald
Hanna	Metcalfe
Harbin	Newton
Herzik	Nicholson
Holland	Patterson of Mills
Hoskins	Petsch
Howard	Quinn
Hull	Ross
Kenyon	Shell

Smith of Hopkins	Walker
Vale	Winfree

Absent—Excused

Cauthorn	Oliver
Davis of Haskell	Powell
Davis of Jasper	Ragsdale
Felty	Reader
Harper	Roark
Harris of Archer	Schuenemann
Jackson	Sewell
James	Skaggs
Langdon	Smith of Tarrant
Mann	Stevenson
Mays	Talbert
McCracken	Worley
McKee	

Mr. Moffett raised the point of order, that there was not a quorum present.

The Speaker sustained the point of order.

The roll of the House was called and a quorum was announced present.

Question again recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—35

Alsup	Jones of Angelina
Baker	King
Bates	Lanning
Beckworth	Leath
Boethel	London
Bradford	McFarland
Brown	McKinney
Burton	Nicholson
Davisson	Palmer
of Eastland	Patterson
Dean	of Travis
Deglandon	Pope
Derden	Settle
Hartzog	Stinson
Heflin	Tennant
Hoskins	Tennyson
Huddleston	Thornton
Johnson	Weldon
of Tarrant	Wood

Nays—67

Adkins	Carsow
Alexander	Cathey
Amos	Celaya
Bell	Cleveland
Blankenship	Colquitt
Boyer	Davison of Fisher
Bradbury	Dickison
Bridgers	England
Broadfoot	Farmer
Cagle	Fielden
Callan	Fox

Fuchs	McConnell
Gibson	Metcalfe
Graves	Moffett
Hamilton	Monkhouse
Hankamer	Morris
Hanna	Morse
Hardin	Prescott
Harrell	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Johnson of Ellis	Russell
Jones of Atascosa	Rutta
Jones of Falls	Sharpe
Jones of Wise	Simpson
Keefe	Smith
Keith	of Matagorda
Kelt	Stocks
Kenyon	Tarwater
Knetsch	Thornberry
Lankford	Waggoner
Loggins	Walker
Lucas	Westbrook
Mauritz	Winfree

Present—Not Voting

Holland Leyendecker

Absent

Bond	McDonald
Dollins	Newton
Harbin	Patterson of Mills
Herzik	Petsch
Howard	Quinn
Hull	Riddle
Hyder	Ross
Kern	Shell
Leonard	Smith of Hopkins
Little	Vale

Absent—Excused

Cauthorn	Oliver
Davis of Haskell	Powell
Davis of Jasper	Ragsdale
Felty	Reader
Harper	Roark
Harris of Archer	Schuenemann
Jackson	Sewell
James	Skaggs
Langdon	Smith of Tarrant
Mann	Stevenson
Mays	Talbert
McCracken	Worley
McKee	

Question recurring on the amendment by Mr. Keefe, it was adopted.

Mr. Derden offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 137, by adding to Section I, the following:

"No contract may be signed by the trustees until the newly elected trus-

tee has qualified and taken the oath of office."

DERDEN,
FIELDEN.

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 137 was then passed to engrossment.

HOUSE BILL NO. 137 ON THIRD READING

Mr. Beckworth moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 137 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—89

Adkins	Harbin
Alexander	Harrell
Alsup	Harris of Dallas
Amos	Harris of Dickens
Baker	Hartzog
Bates	Heflin
Beckworth	Herzik
Bell	Holland
Blankenship	Hyder
Boethel	Johnson of Ellis
Boyer	Johnson
Bradbury	of Tarrant
Bradford	Jones of Angelina
Bridgers	Jones of Falls
Brown	Jones of Wise
Cagle	Keefe
Callan	Kelt
Carsow	Kern
Cathey	King
Celaya	Knetsch
Cleveland	Lankford
Colquitt	Lanning
Davison of Fisher	Leath
Davisson	Leyendecker
of Eastland	Little
Dean	Loggins
Deglandon	London
Derden	Lucas
Dickison	McConnell
England	McDonald
Farmer	McFarland
Fielden	Moffett
Fox	Monkhouse
Gibson	Morse
Graves	Newton
Hankamer	Nicholson
Hanna	Quinn

Reed of Dallas	Smith
Rhodes	of Matagorda
Riddle	Tarwater
Russell	Tennant
Rutta	Tennyson
Settle	Thornberry
Sharpe	Thornton
Shell	Walker
Simpson	Westbrook

Nays—12

Burton	Patterson
Fuchs	of Travis
Hamilton	Reed of Bowie
Hardin	Stocks
Huddleston	Waggoner
Jones of Atascosa	Weldon
Keith	

Absent

Bond	Palmer
Broadfoot	Patterson of Mills
Dollins	Petsch
Hoskins	Pope
Howard	Prescott
Hull	Ross
Kenyon	Smith of Hopkins
Leonard	Stinson
Mauritz	Vale
McKinney	Winfree
Metcalfe	Wood
Morris	

Absent—Excused

Cauthorn	Oliver
Davis of Haskell	Powell
Davis of Jasper	Ragsdale
Felty	Reader
Harper	Roark
Harris of Archer	Schuenemann
Jackson	Sewell
James	Skaggs
Langdon	Smith of Tarrant
Mann	Stevenson
Mays	Talbert
McCracken	Worley
McKee	

The Speaker then laid House Bill No. 137 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—88

Adkins	Bradbury
Alexander	Bridgers
Baker	Broadfoot
Bates	Brown
Beckworth	Cagle
Bell	Carssow
Blankenship	Celaya
Boethel	Cleveland
Boyer	Colquitt

Davison of Fisher	London
Davisson	Lucas
of Eastland	Mauritz
Dean	McConnell
Deglandon	McDonald
Derden	McKinney
Dickison	Metcalfe
England	Moffett
Farmer	Monkhouse
Fielden	Morris
Fox	Morse
Gibson	Newton
Hankamer	Nicholson
Hanna	Palmer
Harbin	Pope
Harrell	Prescott
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Riddle
Heflin	Russell
Holland	Rutta
Hyder	Settle
Johnson of Ellis	Sharpe
Johnson	Shell
of Tarrant	Simpson
Jones of Angelina	Smith
Jones of Falls	of Matagorda
Jones of Wise	Tarwater
Keefe	Tennant
Kelt	Tennyson
King	Thornberry
Knetsch	Thornton
Lankford	Vale
Lanning	Westbrook
Leath	Winfree
Leyendecker	Wood
Little	

Nays—16

Alsup	McFarland
Burton	Patterson
Fuchs	of Travis
Hamilton	Reed of Bowie
Hardin	Stocks
Huddleston	Waggoner
Jones of Atascosa	Walker
Keith	Weldon
Loggins	

Present—Not Voting

Herzik

Absent

Amos	Howard
Bond	Hull
Bradford	Kenyon
Callan	Kern
Cathey	Leonard
Davis of Haskell	Patterson of Mills
Davis of Jasper	Petsch
Dollins	Quinn
Felty	Ross
Graves	Smith of Hopkins
Harper	Stinson
Hoskins	

Absent—Excused

Cauthorn	Ragsdale
Harris of Archer	Reader
Jackson	Roark
James	Schuenemann
Langdon	Sewell
Mann	Skaggs
Mays	Smith of Tarrant
McCracken	Stevenson
McKee	Talbert
Oliver	Worley
Powell	

**RELATIVE TO SURVEY OF
NATURAL RESOURCE TAX
SYSTEMS**

Mr. Thornton moved that the House Rule, relative to the time allotted for the consideration of resolutions, be suspended, at this time, for the purpose of making a motion to reconsider the vote by which the resolution by Mr. Westbrook, Relative to certain tax survey was, on this morning, adopted.

The motion prevailed.

Mr. Thornton moved to reconsider the vote by which the resolution was adopted.

The motion to reconsider prevailed.

Question—Shall the resolution be adopted?

On motion of Mr. Thornton, the resolution was referred to the Committee on Revenue and Taxation.

MESSAGE FROM THE SENATE

Austin, Texas, March 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. C. R. No. 63, Granting the Enrolling Clerk permission to amend the caption of House Bill No. 268 to conform with the Senate amendment.

Respectfully,

BOB BARKER,
Secretary of the Senate.

**HOUSE BILL NO. 174 WITH SEN-
ATE AMENDMENTS**

Mr. Graves called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 174, A bill to be entitled "An Act making an appropriation from the State Treasury for the prepara-

tion, checking, investigation, and correction of the scholastic census and for accounting and investigation necessary in the approval of transfers to the Census Division to the State Department of Education; providing money for salaries, wages, rent, equipment, supplies, printing, and necessary traveling expenses incident thereto for the sum of Fifteen Thousand (\$15,000.00) Dollars for the year ending September first, 1937, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Graves, the House concurred in the Senate amendments by the following vote:

Yeas—100

Adkins	Huddleston
Alsup	Hyder
Amos	Johnson of Ellis
Baker	Johnson
Bates	of Tarrant
Beckworth	Jones of Angelina
Bell	Jones of Atascosa
Blankenship	Jones of Falls
Boethel	Jones of Wise
Boyer	Keefe
Bradbury	Keith
Bridgers	Kelt
Broadfoot	King
Brown	Knetsch
Burton	Lankford
Cagle	Lanning
Callan	Leath
Cathey	Leyendecker
Celaya	Little
Cleveland	London
Colquitt	Lucas
Davison of Fisher	Mauritz
Davisson	McConnell
of Eastland	McDonald
Dean	McFarland
Deglandon	McKinney
Derden	Metcalfe
Dickison	Moffett
England	Monkhouse
Fielden	Morris
Fox	Morse
Gibson	Newton
Graves	Nicholson
Hamilton	Palmer
Hankamer	Patterson
Hanna	of Travis
Harrell	Pope
Harris of Dallas	Prescott
Harris of Dickens	Reed of Dallas
Hartzog	Rhodes
Heflin	Riddle
Herzik	Russell
Holland	Rutta

Settle	Thornberry
Sharpe	Thornton
Shell	Vale
Simpson	Waggoner
Smith	Walker
of Matagorda	Weldon
Tarwater	Westbrook
Tennant	Winfree
Tennyson	Wood

Nays—2

Hardin Reed of Bowie

Absent

Alexander	Howard
Bond	Hull
Bradford	Kenyon
Carssow	Kern
Davis of Haskell	Leonard
Davis of Jasper	Loggins
Dollins	Patterson of Mills
Farmer	Petsch
Felty	Quinn
Fuchs	Ross
Harbin	Smith of Hopkins
Harper	Stinson
Hoskins	Stocks

Absent—Excused

Cauthorn	Ragsdale
Harris of Archer	Reader
Jackson	Roark
James	Schuenemann
Langdon	Sewell
Mann	Skaggs
Mays	Smith of Tarrant
McCracken	Stevenson
McKee	Talbert
Oliver	Worley
Powell	

SPECIAL ORDER SET

Mr. Alexander moved that House Bill No. 592 be set as a special order for 11:00 o'clock a. m., Tuesday, March 16.

The motion prevailed.

ADJOURNMENT

On motion of Mr. Keith, the House, at 12:00 o'clock m., adjourned until 10:00 o'clock a. m., next Monday.

APPENDIX**STANDING COMMITTEE REPORTS**

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: House Bills Nos. 547 and 558.

Constitutional Amendments: House Joint Resolutions Nos. 2 and 8.

Education: House Bill No. 746.

Judiciary: House Bill No. 266.

Military Affairs: House Bills Nos. 637 and 850.

Revenue and Taxation: House Bills Nos. 86, 198, 261, 521, 610, 623 and 967; Senate Bill No. 247.

State Affairs: House Bill No. 3.

The following committees have filed adverse reports on bills and resolution, as follows:

Insurance: House Bills Nos. 685 and 925.

Judiciary: House Bill No. 910.

The Committee on Constitutional Amendments filed an adverse report, with a minority favorable report, on House Joint Resolution No. 12.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 60, A bill to be entitled "An Act to exclude that portion of the Santo Domingo plantation within the boundaries of Starr County Water Control and Improvement District Number One from said district, providing for the payment by the owners of said land of the proportionate part of said district's outstanding indebtedness against same, the manner of paying such proportionate part of said indebtedness, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 132, A bill to be entitled "An Act amending Section 3 of Article 1108, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, as amended by Chapter 207, page 496 of the General and Special Laws passed by the Regular Session of the Forty-fourth Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 169, A bill to be entitled "An Act making appropriation to pay the Presidential Electors of Texas, providing how it shall be made, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 364, A bill to be entitled "An Act amending Section 9, of Article 1995, Revised Civil Statutes of Texas, providing for suits to be brought in certain counties based upon crime, offenses, and trespasses negligently committed."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 369, A bill to be entitled "An Act amending Article 2942, Revised Civil Statutes, 1925, by adding thereto a section to be known as Article 2942a by providing that upon petition of at least 8% of the qualified voters in any voting precinct, the Chairman of the County Executive Committee or any three members of such Committee shall nominate a supervisor of election for such voting precinct; providing that such supervisor shall be a resident of such election precinct and shall be a qualified voter thereof, and shall be selected from one of the persons signing such petition; prescribing the duties of such supervisor, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 11, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 427, A bill to be entitled "An Act authorizing and empowering the Commissioner's Court in Counties having a population of more than three hundred thousand (300,000) and less than three hundred and fifty thousand (350,000) inhabitants according to the preceding Federal Census, to purchase fire trucks and other fire fighting equipment for the protection and preservation of bridges, warehouses, shops and other property located without the limits of any incorporated city or town and authorizing and empowering the Commissioner's Court to enter into contracts with any centrally located city in the County for the operation and maintenance of any such fire trucks and equipment and providing that the provisions of this Act are cumulative of all of the laws other than special laws and providing that in the event any section, subsection, paragraph, sentence or clause be held unconstitutional, that the remaining portions thereof shall be valid, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 452, A bill to be entitled "An Act to amend Articles 6111, 6113, 6116 and 6122, Revised Civil Statutes of 1925, so as to provide that a special partner may contribute property as capital to the common stock of partnership limited, and that such special partner shall be liable for the debts of said partnership to the value he places on said property contributed, and also providing that the partnership limited may use in its firm name the word, Company, or any other general term, or the name of a special partner, provided such name is followed by the word, limited, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 463, A bill to be entitled "An Act to amend Section 7 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 117, Acts of the First Called Session of the Forty-third Legislature, and as amended by Chapter 326, Acts of the Regular Session of the Forty-fourth Legislature relative to the Board of County and District Road Indebtedness; and providing that if any part of this amendment be unconstitutional or be invalid for any reason, the remaining part shall, nevertheless be in full force and effect; repealing Chapter 117, Acts of the First Called Session of the Forty-third Legislature, except as herein re-enacted, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 472, A bill to be entitled "An Act granting permission to the State Superintendent of Public Instruction and to the State Board of Education to use a sum not to exceed One Hundred and Fifty Thousand (\$150,000.00) Dollars of the amount appropriated in the Equalization Bill, same being House Bill No. 327, Regular Session, Forty-fourth Legislature for the year 1936 and 1937, in the payment of approved claims for high school tuition of certain school districts in order to bring all payments to eighty-seven (87%) per cent for the year 1935 and 1936; and granting to the State Board of Education all necessary authority to make said transferred payments to said school districts, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 511, A bill to be entitled "An Act providing for the execution of an agreement to extend the Interstate Compact to conserve oil and gas; prescribing the form of the agreement; prescribing procedure for withdrawal from the compact, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 512, A bill to be entitled "An Act amending Sections 4, 7, 9, 10, 11, 14 and 22 of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and adding Sections 7a and 7b thereto; the amendment of Section 4 providing that the Independent School District or city that has assumed control of its schools or where the same has been organized as a Junior College District has an independent entity which is governed, administered and controlled by and under the direction of the Board of Education of such district or city, and conferring upon said Board of Education of said Junior College District the rights, powers, privileges and duties imposed upon trustees of Independent School Districts by the General Laws of the State of Texas in so far as they may be applicable and not inconsistent with this Act; . . . etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 568, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, relative to the compensation or salary to be paid County

Auditors in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 569, A bill to be entitled "An Act amending Article 2372, Revised Civil Statutes of Texas, 1925, providing that the Commissioners Court of the various counties of this State shall have authority to pay for the services of interpreters; providing that the sum paid shall not exceed \$5.00 per day for such time as the person is actually employed, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 571, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign, and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly belonging to the State of Texas in and to that tract of land known as the Lampasas State Park, situated in Lampasas County, Texas, said land to be conveyed to the City of Lampasas, Texas, which said tract of land was heretofore donated to the State of Texas for park purposes by the citizenship of Lampasas, Texas, but no improvement made thereon by the State of Texas; and reciting a failure of consideration, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 589, A bill to be entitled "An Act amending the charter of the

City of Kingsville so that its city limits will include a parcel of land approximately three city blocks lying immediately south of the original campus of the Texas College of Arts and Industries; being a dormitory site recently purchased for the State of Texas by the Board of Directors of the Texas College of Arts and Industries; and thereby providing better police and fire protection to the properties now erected on this land, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 593, A bill to be entitled "An Act creating the office of Criminal District Attorney in all counties having a population of not less than 75,001 nor more than 77,100, and not containing a city of more than 40,000 inhabitants as determined by the last preceding Federal Census, and in which counties there are one or more Judicial Districts and, in which the County Attorney performs the duties of County Attorney and District Attorney, and in which there is not now a District Attorney; providing that the present County Attorney in those counties shall qualify as Criminal District Attorney, remain in office for the period such officer would have held his office as County Attorney had this Act not been passed; . . . etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 611, A bill to be entitled "An Act to authorize the State Highway Department, in conjunction with the Bureau of Public Roads, to expend, from and after July 1, 1937, upon roads not a part of the system of State highways, funds appropriated for expenditure on such roads under the Hayden-Cartwright Act, passed

by the Seventy-fourth Congress, June 16, 1936, (H. R. 11687); to permit such funds to be matched or supplemented from the State Highway Fund; expressly repealing all laws or parts of laws in conflict herewith to the extent of such conflict, but said laws are not otherwise repealed, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 641, A bill to be entitled "An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to certain independent school districts, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 659, A bill to be entitled "An Act defining livestock auction commission merchants, prescribing their duties as such livestock auction commission merchants, requiring them to give bond in a solvent surety company authorized to do business in this State, with a capital stock of not less than \$500,000, such bond to be approved by the County Judge of such county; to require such livestock auction commission merchants to keep an accurate description of the livestock so sold by them at auction, giving marks and brands thereof, if any; to make quarterly reports to the Commissioner's Court of the County in which they carry on such business, and providing penalties therefor, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 672, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to require all male convicts to labor on the public roads; providing that each convict shall receive a credit of One Dollar a day for each day so employed; providing for the payment of fees to officers and witnesses; providing that the Commissioners Court shall provide for the transportation of the county convicts who may be ordered to work on said roads, and for the transportation from place to place in the county of the various employees, hands, laborers, mechanics and artisans who may be employed on the roads and bridges of the county in the inspection and general supervision of the roads and bridges of said counties by providing for the purchase by the Court of such motor vehicles, motor trucks and trailers as may appear reasonably necessary and proper by said Court for said purposes; . . . etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 674, A bill to be entitled "An Act validating all elections, election orders, election proceedings and city ordinances annexing adjacent territory to, or extending and prescribing the corporate limits of any incorporated city having a population of not less than four thousand and not more than four thousand, five hundred inhabitants, as shown by the last preceding Federal Census, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 675, A bill to be entitled "An Act to amend Article 2371 of the Revised Civil Statutes of 1925, by providing that in all counties of this State, having a population of more than three hundred thousand, according to the last United States Census, the Commissioners' Court in such county may expend, in furnishing a rest-room for women in the court house, or in court house buildings, or on court house grounds, a sum not to exceed three hundred dollars; and may expend for its maintenance, including the compensation paid by the county to the matron, an amount not to exceed one hundred dollars per month, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 699, A bill to be entitled "An Act fixing a closed season on White Bass and Yellow Bass; providing a size limit, daily bag limit and possession limit on these species; prohibiting the sale of such fish; providing a penalty for violation of the provisions of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 716, A bill to be entitled "An Act for the purpose of authorizing County Treasurers in counties having a population of not less than one hundred and twenty-five thousand (125,000) nor more than one hundred and seventy-five thousand (175,000) inhabitants, according to the last Federal Census and containing two (2) cities of more than forty thousand (40,000) inhabitants according to the last Federal Census to be paid in addition to all other compensation a salary of not to exceed Six Hundred (\$600.00) Dollars per year to be fixed and determined by the Commissioners Court of such county for acting as cus-

todian of the funds of Road District or Road Districts in such counties created under authority of Article III, Section 52 of the Constitution of the State of Texas and or Acts, Thirty-ninth Legislature, First Called Session, Chapter 16, page 23, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 721, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 724, A bill to be entitled "An Act amending Section 1, Chapter 24, Acts of the Regular Session, Forty-third Legislature, providing and fixing compensation for County Commissioners in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 747, A bill to be entitled "An Act fixing the amount of maximum fees that may be retained by Justices of the Peace and Constables in Counties containing not less than eleven thousand, nine hundred eighty (11,980) inhabitants, and not more than twelve thousand, one hundred

(12,100) inhabitants according to the last preceding Federal Census, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 748, A bill to be entitled "An Act amending Chapter 465 of the Acts of the Forty-fourth Legislature, Second Called Session, by adding a new section thereto, to be known as Section 2a, providing that in Counties containing a population of less than one hundred ninety thousand (190,000) inhabitants according to the last preceding Federal Census wherein the precinct officers are placed on a salary basis, shall receive as compensation in addition to the salary fixed, certain commissions and payments for certain services performed, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 749, A bill to be entitled "An Act amending Article 3933 of the Revised Civil Statutes of Texas, fixing the fees for Sheriffs and Constables in serving processes in all civil matters, and repealing Article 3936 of the Revised Civil Statutes of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 64, Thanking Mr. W. Lee O'Daniels for his song "Beautiful Texas".

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 11, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 53, To grant D. A. Snyder and Virginia Peters permission to sue the State of Texas and Board of Prison Commissioners of said State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 11, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 56, To grant Walter P. Dickerson permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 11, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 63, Granting the Enrolling Clerk permission to amend the caption of House Bill No. 268 to conform with the Senate amendment.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 157, "An Act providing that in counties in this State having a population less than twenty-five thousand (25,000) inhabitants, according to the last preceding Federal Census, and a tax valuation exceeding Seventy-five Million Dollars (\$75,000,000), according to the last approved tax roll of said county, that the District Attorney or Criminal District At-

torney in such a county is authorized to appoint a Special Assistant District Attorney or Special Assistant Criminal District Attorney; prescribing the powers and duties, both general and special, of said Assistant District Attorneys or Assistant Criminal District Attorneys; providing the amounts to be paid the said Assistant District Attorneys or Assistant Criminal District Attorneys as salaries; providing that said Assistant District Attorneys or Assistant Criminal District Attorneys shall be paid by warrants drawn upon the General Fund of such a county on certificate made by said District Attorney or Criminal District Attor-

ney to the County Judge thereof, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, March 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 22, Granting permission to George Wieland to sue the State of Texas and the Agricultural and Mechanical College of the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

In Memory of
Miss Alma Lee Kerley

Mr. Huddleston offered the following resolution:

Whereas, The House of Representatives has learned with regret of the death of Miss Alma Lee Kerley on March 7, 1937, in San Antonio, Texas; and

Whereas, Miss Kerley was an honored and valuable citizen in this State and her death is recognized as a distinct loss to her community and her State; and

Whereas, Miss Kerley is the sister-in-law of our beloved and Honorable colleague, Mr. Ross Hardin; now, therefore, be it

Resolved by the House of Representatives, That the Members thereof deeply regret the untimely passing of this noble and worthy character, and extend our sincere sympathy to her bereaved family; and, be it further

Resolved, That a copy of this resolution be spread upon the House Journal of today, in memory of the deceased, and when the House adjourns today that it do so in respect and in memory of Miss Alma Lee Kerley; and, be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to forward a copy of this resolution to the family of Miss Kerley.

HUDDLESTON,
NEWTON,
BELL,
PRESCOTT,
DOLLINS,
DAVISSON of Eastland,
JONES of Falls,
WINFREE.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carsow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Dean, Deglandon, Derden, Dickison, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Cagle, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.